

REMARKS

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance (for the reasons discussed herein); (2) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter); (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal (if necessary). Entry is thus requested.

By the present response, Applicants have amended claims 1, 25 and 26 to further clarify the invention. Claims 1-26 are pending in this application. Reconsideration and withdrawal of the outstanding rejections and allowance of the present application are respectfully requested in view of the above amendments and the following remarks.

In the Office Action, claim 25 has been objected to because of informalities. Claims 1, 10, 13, 19 and 25 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,657,988 (Toskala et al.). Claims 2-9, 11-12, 14-18, 20-24 and 26 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 2-9, 11, 12, 14-18, 20-24 and 26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Objections

Claim 25 has been objected to because of informalities. Applicants have amended this claim to further clarify the invention and respectfully request that this objection be withdrawn.

35 U.S.C § 102 Rejections

Claims 1, 10, 13, 19 and 25 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Toskala et al. Applicants have discussed the deficiencies of this reference in Applicants' previously filed response and reassert all arguments submitted in that response. Applicants respectfully traverse these rejections and provide the following additional remarks.

Applicants submit that none of the cited references, taken alone or in any proper combination, disclose or suggest the limitations in the combination of each of these claims. For example, the Examiner asserts that Toskala et al. discloses assigning a weighting value to each of multiple units of the TAB information received, at col. 3, lines 1-24. However, these portions merely disclose that a terminal M is assigned values over a time period equal to N radio frame times, wherein N is an integer greater than 2, and the terminal adjusts the uplink transmission time based on the assigned values over the time period. This is not assigning a weighting value to each of multiple units of the TAB information received, as recited in the claims of the present

application. These portions of Toskala et al. merely disclose that a terminal has assigned values of a time period and the terminal adjusts the uplink transmission time based on the assigned values. This is not assigning a weighting value to TAB information.

Further, there is no disclosure of weighting value in Toskala et al. The weighting value according to embodiments of the present invention is differently granted for the TAB information, and makes the timing renewal value determined differently. In other words, the weighting value is additionally assigned to the original value for each units of the TAB information.

The value in Toskala et al., however, appears to be the one corresponding to the original value of the present invention. In Toskala et al., an assigning means 34 will set a TAB to a first value if the message arrival time is earlier than the desired arrival time, and the TAB is set to second value if the message arrival time is later than the desired arrival time, (see, col. 5, lines 1-5). Thus, in Toskala et al., the assigned values are not the weighting ones but the original ones. Accordingly, the weighting value as recited in the claims of the present invention is different from the value in Toskala et al. According, the rejections should be withdrawn because claims 1 and 13 disclose “assigning a weighting value to each of multiple units of the TAB information”, claims 10 and 19 disclose “weighted units of TAB information”, and claim 25 discloses “a received TAB information to which a weight is assigned”.

Further, the Examiner asserts that Toskala et al. discloses combining weighted units of TAB information, by item 60 in fig. 4. However, item 60 is merely a summing means that sums

the TAB values over a number of frames, where the TAB value depends on whether the arrival time is earlier or later than the desired arrival time. This is not combining the weighted units of TAB information, as recited in the claims of the present application.

Moreover, the Examiner asserts that Toskala et al. discloses checking the timing of a signal transmitted from a user equipment and timing of the signal being based on a combination of weighted units of TAB information, in Fig. 4, items 10 and 60. However, as noted previously, the summing means, item 60, does not generate a combination of weighted units of TAB information, as recited in the claims of the present application.

The Examiner further asserts that Toskala et al. discloses determining a timing control command value according to a result of the timing check, by item 70 of Fig. 4. However, the limitations in the claims of the present application relate to checking a timing of a signal transmitted from a UE, and then determining a timing control command value according to a result of the timing check. Therefore, the determining is not performed in the UE. In contrast, item 70 in Fig. 4 of Toskala et al. resides in the mobile station 10.

Further, the Examiner asserts that Toskala et al. discloses assigning a weighting value to each of multiple units of the plurality of received time alignment bits in accordance with the corresponding order of receipt, by the assigned values to TAB over a time period equal to N radio frames. However, this has nothing to do with assigning a weighted value to each of multiple units of the plurality of received time alignment bits in accordance with the corresponding order of receipt, as recited in the claims of the present application.

In addition, the Examiner asserts that Toskala et al. discloses determining a deviation of the transmission time by combining the weighted units of the plurality of received time alignment bits, by the determining means for TAB item 50 of Fig. 4 in Toskala et al. However, as noted previously, the determining means 50 merely makes a decision on the TAB as to whether the TAB is set to the first value or the second value. This is not determining a deviation of the transmission time by combining the weighted units of the plurality of received time alignment bits, as recited in the claims of the present application.

Moreover, the portions of Toskala et al. cited by the Examiner do not disclose or suggest wherein the combination of the TAB information is performed using at least one of a selected values among the received TAB information and a received TAB information to which a weight is assigned.

Accordingly, Applicants submit that Toskala et al. does not disclose or suggest the limitations in the combination of each of claims 1, 10, 13, 19 and 25 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

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Reply to Office Action of June 29, 2006

Docket No. **HI-0064**

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that claims 1-26 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Frederick D. Bailey**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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